

ASSEMBLY BILL

No. 825

Introduced by Assembly Member Firebaugh

February 20, 2003

An act to amend Section 69436 of, and to repeal Section 69436.5 of, the Education Code, relating to student financial aid.

LEGISLATIVE COUNSEL'S DIGEST

AB 825, as introduced, Firebaugh. Student financial aid: Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program.

Existing law, known as the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Act, establishes the Cal Grant A and B entitlement awards, the California Community College Transfer Entitlement awards, the Competitive Cal Grant A and B awards, the Cal Grant C awards, and the Cal Grant T awards under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions.

This bill would, with respect to eligibility requirements for the California Community College Transfer Entitlement awards, eliminate a requirement that the recipients of those awards must not meet the federal definition of “independent student” and a requirement that recipients graduate from a California high school during or after the 2000–01 academic year. The bill would also lower the minimum grade point average required for recipients from 2.4 to 2.0 on a 4.0 scale.

The bill would also make conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 69436 of the Education Code is amended to read:

69436. (a) Commencing with the 2001–02 academic year, and each academic year thereafter, a student who was not awarded a Cal Grant A or B award pursuant to Article 2 (commencing with Section 69434) or Article 3 (commencing with Section 69435) at the time of his or her high school graduation but, at the time of transfer from a California community college to a qualifying baccalaureate program, meets all of the criteria set forth in subdivision (b), shall be entitled to a Cal Grant A or B award.

(b) Any California resident transferring from a California community college to a qualifying institution that offers a baccalaureate degree is entitled to receive, and the commission shall award, a Cal Grant A or B award depending on the eligibility determined pursuant to subdivision (c), if all of the following criteria are met:

(1) A complete official financial aid application has been submitted or postmarked pursuant to Section 69432.9, no later than the March 2 of the year immediately preceding the award year.

(2) The student demonstrates financial need pursuant to Section 69433.

(3) The student has earned a community college grade point average of at least ~~2.4~~ 2.0 on a 4.0 scale and is eligible to transfer to a qualifying institution that offers a baccalaureate degree.

(4) The student's household has an income and asset level not exceeding the limits set forth in Section 69432.7.

(5) The student is pursuing a baccalaureate degree that is offered by a qualifying institution.

(6) He or she is enrolled at least part-time.

(7) The student meets the general Cal Grant eligibility requirements set forth in Article 1 (commencing with Section 69430).

~~(8) The student does not meet the federal definition of an independent student, as set forth in subsection (d) of Section 1087vv of Title 20 of the United States Code, with the exception of:~~

1 ~~(A) A student who is an orphan or a ward of the court and who~~
2 ~~will not be 24 years old or older by December 31 of the award year.~~

3 ~~(B) A student who is a veteran of the United States Armed~~
4 ~~Forces and who will not be 24 years old or older by December 31~~
5 ~~of the award year.~~

6 ~~(C) A student who is a married person and who will not be 24~~
7 ~~years old or older by December 31 of the award year.~~

8 ~~(D) A student who will not be 24 years old or older by~~
9 ~~December 31 of the award year and who has dependents other than~~
10 ~~a spouse.~~

11 ~~(E) A student who will not be 24 years old or older by~~
12 ~~December 31 of the award year and for whom a financial aid~~
13 ~~administrator makes documented determination of independence~~
14 ~~by reason of other unusual circumstances.~~

15 ~~(9) The student graduated from a California high school or its~~
16 ~~equivalent during or after the 2000-01 academic year.~~

17 (c) The amount and type of the award pursuant to this article
18 shall be determined as follows:

19 (1) For applicants with income and assets at or under the Cal
20 Grant A limits, the award amount shall be the amount established
21 pursuant to Article 2 (commencing with Section 69434).

22 (2) For applicants with income and assets at or under the Cal
23 Grant B limits, the award amount shall be the amount established
24 pursuant to Article 3 (commencing with Section 69435).

25 SEC. 2. Section 69436.5 of the Education Code is repealed.

26 ~~69436.5. A participating qualifying institution shall report to~~
27 ~~the commission annually as to the number of students determined~~
28 ~~to be independent pursuant to subparagraph (E) of paragraph (8)~~
29 ~~of subdivision (b) of Section 69436 and the reasons therefor.~~